

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 9, 2009**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

ABEYANCE - RENOTIFICATION - VAR-34308 - VARIANCE - PUBLIC HEARING - APPLICANT: GEORGE RAINHART - OWNER: ASPEN HIGHLANDS HOLDINGS, LLC - Request for a Variance TO ALLOW A 507-FOOT TALL, 28,856 SQUARE-FOOT ROOF SIGN WHERE A MAXIMUM OF EIGHT FEET IN HEIGHT AND 150 SQUARE FEET IN AREA IS PERMITTED, AND TO ALLOW THE COMBINED AREA OF WALL AND ROOF SIGNAGE TO BE 56% OF THE SOUTH ELEVATION WHERE A MAXIMUM OF 20% PER ELEVATION IS PERMITTED on 2.17 acres at the northeast corner of Sahara Avenue Las Vegas Boulevard (APN 162-04-813-070, 071 and 163-03-410-008), C-2 (General Commercial) Zone, Ward 3 (Reese). NOTE: THIS APPLICATION HAS BEEN AMENDED TO ALLOW A 98-FOOT TALL, 11,210 SQUARE-FOOT ROOF SIGN WHERE A MAXIMUM OF EIGHT FEET IN HEIGHT AND 150 SQUARE FEET IN AREA IS PERMITTED, AND TO ALLOW THE COMBINED AREA OF WALL AND ROOF SIGNAGE TO BE 79%, 23% AND 101% OF THE SOUTH, EAST AND WEST ELEVATIONS, RESPECTIVELY, WHERE A MAXIMUM OF 20% PER ELEVATION IS PERMITTED

C.C.: 08/05/2009**PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.****22****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****9****City Council Meeting****0****RECOMMENDATION:****DENIAL****BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Submitted after Final Agenda – Protest Postcards/Letter and Support Postcard

Motion made by STEVEN EVANS to Approve subject to conditions and adding the following conditions as read for the record:

- A. The approval is pursuant to the submitted plans dated stamped June 19, 2009.

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B. No off-site advertising shall be allowed on the signage at any time.

Passed For: 4; Against: 0; Abstain: 2; Did Not Vote: 0; Excused: 1

VICKI QUINN, BYRON GOYNES, GLENN TROWBRIDGE, STEVEN EVANS; (Against-None); (Abstain-MICHAEL E. BUCKLEY, RICHARD TRUESDELL); (Did Not Vote-None); (Excused-KEEN ELLSWORTH)

NOTE: COMMISSIONER TRUESDELL abstained from voting as he owns interest in the adjacent property, and COMMISSIONER BUCKLEY abstained from voting because his partner owns property located west of the subject property.

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open for Items 11-13 and 15.

STEVE GEBEKE, Planning and Development, explained that the applicant is proposing a two-story casino and retail establishment with a LED video display roof sign that is compatible with the overall structure. Although the sign complies with the Las Vegas Boulevard Scenic Byway requirements for illumination, it exceeds the height restrictions of Title 19, thus requiring the variance request. Staff recommended approval of all applications, with the exception of Item 11, VAR-34308, as the plan provides for vehicular access but no pedestrian access. Providing a pedestrian friendly streetscape along Las Vegas Boulevard and Sahara Avenue will enhance the overall image of the downtown area. There are no unique circumstances, so the hardship is self-imposed.

ATTORNEY CHRIS KAEMPFER, 3800 Howard Hughes Parkway, and BOB GENZER appeared on behalf of the applicant. ATTORNEY KAEMPFER appreciated staff's recommendations for approval. He explained that when discussions took place regarding development for this corner, the desire was to see something that was eye catching and iconic. He briefly described the site plan, noting that additional landscaping will be placed along the northeastern edge of the site as requested. Using a diagram, MR. GENZER pointed out the additional vacated portion of 35 feet along Sahara Avenue and Las Vegas Boulevard. Developing signage per Code, which allows for eight feet, actually limits what can be done on the subject corner. The applicant believes the requested waiver is appropriate to necessitate the vision for this corner, which is the proposed signage that is iconic and will be the gateway into the downtown area. MR. GENZER added that the sign has also been designed for bridges to cross both streets, which will assist in the traffic flow.

TODD FARLOW complimented the design and desired to see signage continue along Las Vegas Boulevard.

TERRY MURPHY appeared on behalf of the Stratosphere and was convinced that the concerns with the maintenance of the signage would be addressed prior to City Council.

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CHAIR TROWBRIDGE confirmed with ATTORNEY KAEMPFER that the material advertised on this onsite signage would relate to events and products sold at this site. He appreciated signage including “Welcome to Las Vegas”, as MARGO WHEELER, Director of Planning and Development, confirmed this was addressed within the conditions.

COMMISSIONER EVANS appreciated ATTORNEY KAEMPFER meeting with him and having the same representation at this meeting. He commented on the ongoing safety issues at this subject corner and was pleased with the street dedication. He expressed his support, adding that time square vibrancy is what should be on this corner and hopes to see any issues resolved between the applicant and Stratosphere. The Commissioner highly praised the applicant and representatives for such foresight in accommodating overhead walkways.

CHAIR TROWBRIDGE declared the Public Hearing closed for Items 11-13 and 15.

